

VIRGINIA: IN THE CIRCUIT COURT FOR PRINCE GEORGE COUNTY
COMMONWEALTH

VS) FELONY – CASE # CR09000[REDACTED]-00

[REDACTED]
DL #: [REDACTED] DATE OF BIRTH: 5-18-[REDACTED]

HEARING DATE: June 23, 2009 JUDGE: James A. Luke

HEARING TYPE: Misdemeanor Appeal Trial by Jury

ATTORNEY FOR THE COMMONWEALTH: Cecilie Hamilton

ATTORNEY FOR THE DEFENDANT: W. Edward Riley, IV (Retained)

ORIGINAL CHARGE DESCRIPTION:

SEXUAL BATTERY (VIRGINIA CODE SECTION 18.2-67.4)

ALLEGED OFFENSE DATE: March 30, 2008

On the above date came Cecilie Hamilton, Assistant Attorney for the Commonwealth, W. Edward Riley, IV, counsel for the defendant, and the defendant,

[REDACTED]
Whereupon the defendant noted an appeal in this case from the Prince George Juvenile and Domestic Relations District Court and the documents from that Court were transmitted to the Clerk's Office of this Court.

The Attorney for the Commonwealth made a motion to amend the warrant to read "between March 30, 2008 thru June 15, 2008", to which the Court doth grant said motion.

The Attorney for the Commonwealth made a motion to exclude the witnesses, to which the Court doth grant said motion.

Whereupon the accused was arraigned and after private consultation with his attorney, pleaded NOT GUILTY to the warrant, which plea was tendered by the accused in person.

The Court then impaneled thirteen (13) qualified jurors, free from exception for the trial of the defendant. Whereupon, the Attorney for the Commonwealth and the attorney for the defendant each alternately exercised their rights to strike the names of six (6) veniremen from the panel, as provided by law, and the remaining seven (7) jurors, constituting the jury for the trial of the defendant, were duly sworn.

After opening statements, the evidence was presented by the Commonwealth and the defendant.

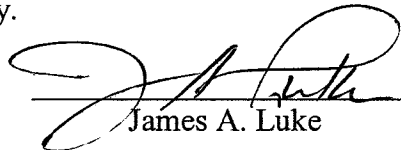
After hearing the evidence of the Commonwealth, counsel for the defendant made a motion to strike, to which the Court doth overrule said motion.

After hearing all the evidence, the instructions of the Court and argument of counsel, the jurors were sent to the jury room to consider their verdict. They subsequently returned their verdict in open Court, in the following words:

“We the jury find the defendant NOT GUILTY of sexual battery as charged in the warrant”. Vicky B. Thweatt, Foreman.

And the Court doth hereby dismiss the jury.

06-25-09
Date Order Entered


James A. Luke Judge